

RECEIVED
U. S. DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION
2008 JAN 18 P 7 33

CURVES INTERNATIONAL, INC.

Plaintiff,

v.

LINDA S. MOSBARGER,

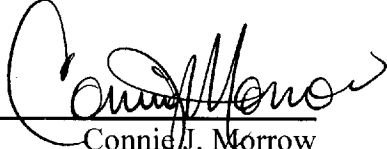
Defendant.

CASE NO. 2007-CV-807-MHT

**MOTION TO DISMISS
SUMMARY JUDGMENT MOTION**

COMES NOW the DEFENDANT, LINDA S. MOSBARGER, nee LINDA S. LEWIS, by and through undersigned counsel, and requests this court pursuant to the law of this federal circuit to dismiss this action and grant this Defendant's motion for summary judgment pursuant to the *Federal Rules of Civil Procedure 12(b)(1)*, *12(b)(6)*, *56(b)* and the laws, applicable facts and materials cited in the Brief in Support of this Motion filed with this Court.

Respectfully submitted,



Connie J. Morrow
(#ASB-6870-O78C)
Attorney for Counterclaimant
LINDA S. LEWIS

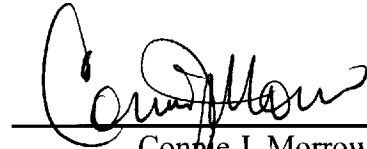
OF COUNSEL:
Grainger Legal Services, LLC
4220 Carmichael Court, N.
Montgomery, Alabama 36106
Tel. (334) 260-0500
Fax (334) 260-5580
E-mail cgrainger@graingerlegal.com

CERTIFICATE OF SERVICE

The undersigned verifies a true and accurate copy of this document has been delivered to the following (Defendants and purported legal counsel) by placing on this date a copy of such in the U. S. mail, proper postage prepaid, on this the 14th day of NOVEMBER, 2007, and addressed as follows:

Joseph W. Carlisle
William D. Jones, III
JOHNSTON, BARTON, PROCTOR & ROSE, LLP
Colonial Brookwood Center
569 Brookwood Village, Suite 901
Birmingham, AL 35209

Jason J. Stover
Micheal R. Gray
GRAY, PLANT, MOOTY, MOOTY & BENNETT, PA
500 IDS Center, 80 South Eighth Street
Minneapolis, MN 55402


Conle J. Morrow
(#ASB-6870-O78C)